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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,765	03/10/2004	Petteri Poyhonen	042933/271450	3955
826	7590	08/23/2007		
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			EXAMINER GONZALEZ, AMANCIO	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 08/23/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/797,765

Applicant(s)

POYHONEN, PETTERI

Examiner

Amancio Gonzalez

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is in response to Applicant's amendment filed on 06/06/2007. Claims 1-54 are still pending in the present application. This action is made FINAL.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-13, 16-22, 25-31, 34-40, 43-49, and 52-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Oda et al. (US 7177636 B2), hereafter "Oda."

Consider claims 1, 10, 19, 28, 37, and 46 as amended, Oda discloses an apparatus for establishing a communication session with a terminal (**see col. 1 line 17-19, col. 2 lines 5-63, where Oda discusses an apparatus to establish communication with a cellular terminal**). Oda discloses a processor located in a network across which an originating client is configured to communicate (**see col. 3 lines 35-42, 55-60, fig. 5, where Oda discusses a location registration auxiliary apparatus processing a connection from an originating radio terminal, the originating radio terminal configured to communicate with said apparatus, which has both cellular and IP network interfaces**). Oda discloses

wherein the node processor is configured to receive a connection request, and thereafter sending send a trigger to the terminal independent of the network, wherein the node processor is also configured to receive a registration message in response to the trigger to thereby register the terminal with the processor and identify the terminal across the network such that the communication session is capable of being established with the terminal based upon the identity of the terminal across the network **(see the abstract, col. 2 lines 55-67, col. 3 lines 1-55, col. 21 lines 25-36, where Oda discusses the terminal controlling apparatus receiving a call set-up request and performing registration and identification procedures for a radio terminal to communicate across a network).**

Consider claims 2, 3, 7, 11, 12, 16, 20, 21, 25, 29, 30, 34, 38, 39, 43, 47, 48, and 52 as amended, Oda teaches claims 1, 10, 19, 28, 37, 39, 46 and further discloses processing call setup request and registration procedures (see the abstract, col. 2 lines 55-67, col. 3 lines 1-55, col. 21 lines 25-36, where Oda discusses the terminal controlling apparatus receiving a call set-up request and performing registration and identification procedures for a radio terminal to communicate across a network).

Consider claims 5, 13, 22, 31, 40, and 49 as amended, Oda teaches claims 1, 10, 20, 29, 38, and 47 and Oda further discloses *inherently* buffering functions (see the abstract, col. 6 lines 65-67, where Oda discusses a control proxy server, a packet data element in which buffering is inherent).

Consider claims 8, 17, 26, 35, 44, and 53 as amended, Oda teaches claims 1, 10, 19, 28, 37, and 46 above further teaches wherein the processor is located in a

Art Unit: 2617

network across which an originating client is capable of at least one of directly and indirectly communicating (see the abstract, col. 2 lines 55-67, col. 3 lines 1-55, col. 21 lines 25-36, where Oda discusses the terminal controlling apparatus receiving a call set-up request and performing registration and identification procedures for a radio terminal to communicate across a network).

Consider claims 9, 18, 36, 45, and 54 as modified, Oda teaches claims 8, 17, and 44 above and further discloses a public network (see col. 2 lines 48-55).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 4, 14, 23, 32, 41, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oda et al. (US 7177636 B2), hereafter "Oda," in view of Zmolek (US PGPub 20030154293), hereafter "Zmolek."

Art Unit: 2617

Consider claims 4, 14, 23, 32, 41, and 50 as amended, Oda teaches claims 1, 10, 19, 28, 37, and 46 but does not particularly refer to a SIP proxy server. Zmolek teaches a SIP proxy server (see Zmolek: pars. 0005, 0049, 0051, 0063). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Oda and have it include a SIP proxy server, as taught by Zmolek, thereby facilitating media-independent signaling and the implementation of presence and availability systems, as discussed by Zmolek (see pars. 0003-0005).

7. Claims 6, 15, 24, 33, 42 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oda et al. (US 7177636 B2), hereafter "Oda," in view of Dingman et al. (US PGPub 20040024879), hereafter "Dingman."

Consider claims 6, 15, 24, 33, 42 and 51 as amended, Oda teaches claims 1, 19, 28, 37, and 46 above, but does not particularly refer to a network address translator (NAT) or firewall (FW). Dingman teaches a network address translator (NAT) and firewall (FW) (see Dingman: pars. 0011, 0016). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Oda and have it include a network address translator (NAT) and firewall (FW), as taught Dingman, thereby enabling communication between a system within a protected network and an external system.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-54 have been considered but are moot in view of the new ground of rejection.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Delaney Street  
Alexandria, VA 22314

Art Unit: 2617

11. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Amancio Gonzalez, whose telephone number is (571) 270-1106. The Examiner can normally be reached on Monday-Thursday from 8:00 am to 5:00 pm.


If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Rafael Pérez-Gutiérrez can be reached at (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Amancio González  
AG/ag

August 20, 2007

  
Rafael Pérez-Gutiérrez  
Supervisory Patent Examiner  
Technology Center 2600  
Art Unit 2617  
8/20/07